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August 8, 2006

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Room 700
Washington, D. C. 20423

RE: Finance Docket No. 34473, *CSX Transportation, Inc., Norfolk Southern Railway Company, and Consolidated Rail Corporation—Modified Certificate of Public Convenience and Necessity—Operation of Line and Facilities in Staten Island, NY and New Jersey*

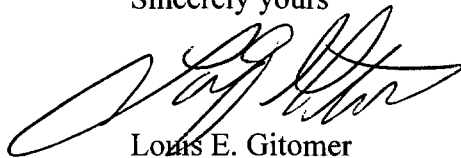
Dear Secretary Williams:

Enclosed are the original and 10 copies of a Notice of Termination of Modified Certificate of Convenience and Necessity and a CD containing the Notice.

Please time and date stamp the additional copy of this letter, and the Notice and return them with our messenger. Thank you for your assistance.

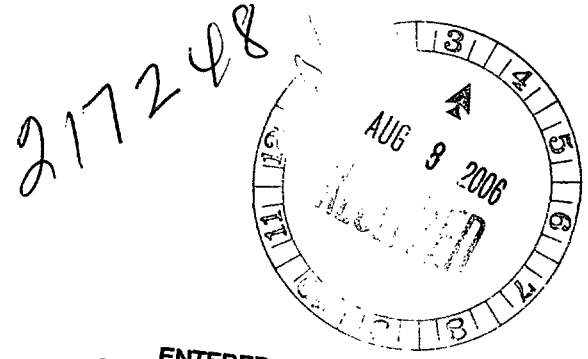
If you have any questions please call or email me.

Sincerely yours



Louis E. Gitomer
Attorney for: Consolidated Rail Corporation

Enclosures



ENTERED
Office of Proceedings

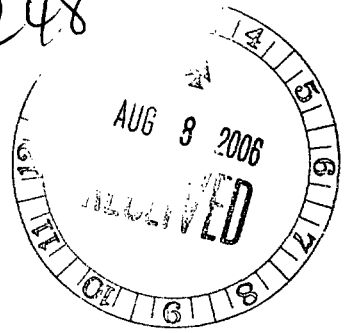
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Part of
Public Record

217248

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 34473



CSX TRANSPORTATION, INC., NORFOLK SOUTHERN RAILWAY COMPANY,
CONSOLIDATED RAIL CORPORATION—MODIFIED CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY—OPERATION OF LINE AND FACILITIES IN
STATEN ISLAND, NY AND NEW JERSEY

**NOTICE OF TERMINATION OF MODIFIED CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**

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Dated: August 8, 2006

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 34473

CSX TRANSPORTATION, INC., NORFOLK SOUTHERN RAILWAY COMPANY,
CONSOLIDATED RAIL CORPORATION—MODIFIED CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY—OPERATION OF LINES IN STATEN ISLAND,
NY AND NEW JERSEY

**NOTICE OF TERMINATION OF MODIFIED CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**

Pursuant to 49 C.F.R. §1150.24, CSX Transportation, Inc. (“CSXT”), Norfolk Southern Railway Company (“NSR”), and Consolidated Rail Corporation (“Conrail”) provide 60 days' notice of their intent to terminate the service authorized under *CSX Transportation, Inc., Norfolk Southern Railway Company, and Consolidated Rail Corporation—Modified Rail Certificate*, STB Finance Docket No. 34473 (STB served March 19, 2004) (the “*Modified Certificate*”).

CSXT, NSR, and Conrail did not conclude an agreement with the New York City Economic Development Corporation (“NYCEDC”) and the Port Authority of New York and New Jersey (the “Port Authority”) in order to be able to commence operations under the *Modified Certificate* over the 7.69-mile abandoned rail line generally between the Conrail Chemical Coast Line and points on Staten Island (the “Line”). CSXT, NSR, and Conrail never commenced operations over the Line and did not serve any shippers on the Line.

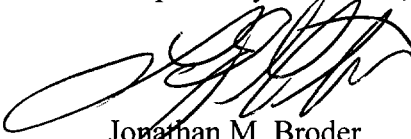
CSXT, NSR, and Conrail have or will shortly enter a modified agreement with NYCEDC and the Port Authority to provide service over the Line, which is scheduled to

begin on October 1, 2006. Concurrently with the filing of this Notice of Termination, CSXT, NSR, and Conrail are filing a new Notice of a Modified Certificate.

CONCLUSION

CSXT, NSR, and Conrail provide notice of the termination of the *Modified Certificate*.

Respectfully submitted,



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Dated: August 8, 2006

CERTIFICATE OF SERVICE

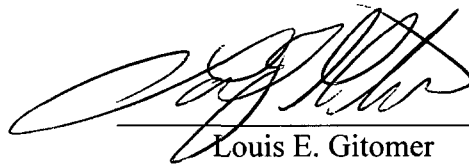
I hereby certify that I have caused the foregoing document to be served by first class mail, postage prepaid on:

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A handwritten signature in black ink, appearing to read "Louis E. Gitomer", is written over a horizontal line.

Louis E. Gitomer
August 8, 2006